

AGREEMENT FOR FIRE PROTECTION

This agreement entered into by and between the City of West Lafayette, Indiana and River Bend Hospital on March 19th, 2013. In consideration of the mutual promises contained herein, it is agreed as follows:

The Property Protected. City of West Lafayette will furnish fire protection for the following property of River Bend Hospital at 2900 North River Road which is located outside the corporate limits of the City of West Lafayette:

Tract I.

A part of the North Half of the Northwest Fractional Quarter of Section Eight (8), Township Twenty-three (23) North, Range Four (4) West in Wabash Township, Tippecanoe County, Indiana, being more completely described as follows, to wit:

Commencing at the southeast corner of Lot Numbered Ninety-one (91) in Glenwood Heights Subdivision Extended, said point being a record distance of 2429.30 feet east of the southwest corner of the North Half of the Northwest Fractional Quarter of Section 8-23-4, said point also being marked by a re-bar; thence 2 degrees-24'58" West along the east line of said subdivision a distance of 294.60 feet to a re-bar at the northeast corner of Lot Numbered Ninety-two (92) in said subdivision and the point of beginning of the herein described tract; thence North 89 degrees-34'-00" East and parallel to the north line of the North Half of said Northwest Fractional Quarter Section a distance of 1162.76 feet to a point on the top of the west bank of the Wabash River; thence North 22 degrees-57'57" East along the top of said west bank a distance of 330.70 feet; thence South 89 degrees 34'00" West and parallel to the north line of the North Half of said Northwest Fractional Quarter Section a distance of 1304.60 feet to a re-bar on the south line of Lot Numbered One (1) in Colony Road Subdivision, said point being 50.07 feet west of the Southeast corner of said Lot Number 1, said point also being 735.38 feet south and 2397.18 feet east of the northwest corner of the North Half of said Northwest Fractional Quarter Section; thence South 2 degrees 24'58" East a distance of 303.68 feet to the point of beginning, containing 8.596 acres.

EXCEPT A part of the North Half of the Northwest Fractional Quarter of Section Eight (8), Township Twenty-three (23) North, Range Four (4) West in Wabash Township, Tippecanoe County, Indiana, being more completely described as follows, to wit:

Commencing at the southeast corner of Lot Numbered Ninety-one (91) in Glenwood Heights Subdivision Extended, said point being a record distance of 2429.30 feet east of the southwest corner of the North Half of the Northwest Fractional Quarter of Section 8-23-4, said point also being marked by a re-bar; thence North 2 degrees 24'58" West along the east line of said subdivision a distance of 294.60 feet to a re-bar at the northeast corner of Lot Numbered Ninety-two (92) in said subdivision; thence North 89 degrees 34'00" East and parallel to the north line of the North Half of said Northwest Fractional Quarter Section a distance of 903.96 feet to the point of beginning of the herein described tract; thence North 25 degrees 22'58" East a distance of 18.56 feet to a re-bar; thence South 79 degrees 56'42" East a distance of 91.76 feet; thence South 89 degrees 34'00" West and parallel to the north line of the North Half of said Northwest Fractional Quarter a distance of 98.31 feet to the point of beginning, containing 0.019 acres.

Tract II

A part of the North Half of the Northwest Fractional Quarter of Section Eight (8), Township Twenty-three (23) North, Range Four (4) West in Wabash Township, Tippecanoe County, Indiana, being more completely described as follows, to wit:

Beginning at the southeast corner of Lot Numbered Ninety-one (91) in Glenwood Heights Subdivision Extended, said point being a record distance of 2429.30 feet east of the Southwest corner of the North Half of the Northwest Fractional Quarter of Section 8-23-4, said point also being marked by a re-bar; thence North 2 degrees 24'58" West along the east line of said subdivision a distance of 294.60 feet to a re-bar at the northeast corner of Lot Numbered Ninety-two (92) in said subdivision; thence North 89 degrees 34'00" East and parallel to the north line of the North Half of said Northwest Fractional Quarter Section a distance of 903.96 feet; thence South 25 degrees 22'58" West a distance of 129.36 feet to a re-bar on the north line of an Indiana Public Service Power Line easement; thence South 71 degrees 01'53" East along said north line a distance of 216.65 feet to a PK Nail in the centerline of State Road Number 43, thence northeasterly along a curve to the right on said centerline (said curve having a radius of 2700.00 feet, a chord length of 51.60 feet, and a chord bearing of North 19 degrees 51'31" East) a distance of 51.60 feet; thence North 20 degrees 24'22" East along said centerline a distance of 127.46 feet to a PK Nail; thence North 79 degrees 56'42" West a distance of 114.85 feet; thence North 89 degrees 34'00" East and parallel to the north line of the North Half of said quarter section a distance of 160.49 feet to a point on the top of the west bank of the Wabash River; thence South 19 degrees 25'56" West along the top of said bank distance of 313.05 feet; thence South 89 degrees 34'00" West and parallel with the north line of the North Half of said Northwest Fractional Quarter Section a distance of 1046.19 feet to the point of beginning, containing 6.701 acres.

Tract III

A part of the North half of the North half of Section 8, Township 23 North, Range Four (4) West, in Wabash Township, Tippecanoe County, Indiana, more completely described as follows, to-wit:

Beginning at a point on the North line of said Section 8 which is 2433.0 feet East of the Northwest corner thereof; running thence South 0 degrees 34' East along the East line of Lot 1 in the Colony Road Subdivision a distance of 735.24 feet to an iron pipe at the Southeast corner of said Lot 1; thence North 89 degrees 34' East a distance of 1199.34 feet to the existing centerline of State Road No. 43; continuing thence North 89 degrees 34' East a distance of 95 feet, more or less, to the West bank of the Wabash River; thence Northeasterly along said bank to a point of the approximate North line of said Section 8 which is 397 feet, more or less, North 89 degrees 09' East from a railroad spike on said center line of State Road No. 43; thence South 89 degrees 09' West a distance of 397. feet, more or less to said railroad spike on the highway center line; thence North 87 degrees 53' West a distance of 524.5 feet to an iron pipe; thence South 85 degrees 14' West a distance of 132.2 feet to an iron pipe at the Southeast corner of Lot 4 in the Ravinamy Addition; thence South 89 degrees 34' West along the South line of Said Addition and the North line of Said Section 8 a distance of 869.84 feet to an iron pipe at the place of beginning, containing 29.0 acres, more or less.

ALSO:

A part of Lot one (1) in the Colony Road Subdivision in part of the North half of the North half of Section eight (8) in Township twenty-three (23) North, Range Four (4) West, more completely described as follows, to-wit:

Beginning at a point on the east line of Lot 1 in said subdivision, said point being 121.8 feet North 0 degrees 34' West from the Southeast corner of said original Lot 1; running thence North 36 degrees 41' West a distance of 189.55 feet to an iron pipe on the east right of way line of Colony Road; thence Northeasterly along a curve in said East right of way line a distance of 144.39 feet to an iron pipe at the point of curvature of said line; thence north 0 degrees 34' West along said East right of way line a distance of 325.0 feet to an iron pipe at the Northwest corner of original Lot 1; thence east along the North line of said lot a distance of 80.0 feet to the Northeast corner of said Lot; thence South 0 degrees 34' East along said East line of Lot 1 a distance of 613.44 feet to an iron pipe at the place of beginning.

Located in Wabash Township, Tippecanoe County, Indiana.

Tract IV

A part of Lot one (1) in the Colony Road Subdivision in part of the North half of the North half of Section eight (8), in Township twenty-three (23) North, Range four (4) West, more completely described as follows, to-wit:

Beginning at a point on the east line of Lot 1 in said subdivision, said point being 121.8 feet North 0 degrees 34' West from the Southeast corner of said original Lot 1; running thence North 36 degrees 41' West a distance of 189.55 feet to an iron pipe on the east right of way line of Colony Road; thence Northeasterly along a curve in said East right of way line a distance of 144.39 feet to an iron pipe at the point of curvature of said line; thence north 0 degrees 34' West along said East right of way line a distance of 325.0 feet to an iron pipe at the Northwest corner of original Lot 1; thence East along the North line of said lot a distance of 80.0 feet to the Northeast corner of said Lot; thence South 0 degrees 34' East along said East line of Lot 1 a distance of 613.44 feet to an iron pipe at the place of beginning.

Located in Wabash Township, Tippecanoe County, Indiana.

Tract V

Part of the North fraction of the Northwest fractional quarter of Section eight (8) in Township twenty-three (23) North, Range Four (4) West, being a part of the tract of land conveyed by Mortimer Levering and wife, to August Bladorn (see Deed Record 116, page 161) said part now hereby conveyed being described as follows:

Beginning on the North line of said tract at a point one hundred forty seven and 80/100 (147.80) rods East of the Northwest corner thereof, running thence South forty four and 56/100 (44.56) rods to the South line of the tract, thence East with said South line seventy eight (78) rods to the West Margin of the Wabash River; thence in a Northeasterly course along said River forty nine and 92/100 (49.92) rods to the Northeast corner of said tract; thence West one hundred six and 72/100 (106.72) rods to the place of beginning, containing twenty-five (25) acres, more or less.

Located in Wabash Township, Tippecanoe County, Indiana.

Fire protection. The fire protection to be furnished to River Bend Hospital by the City of West Lafayette shall be such fire protection (not including first responder medical service) which is ordinarily furnished to all residents and property owners within the corporate limits of the City of West Lafayette.

Payment. River Bend Hospital agrees to pay the City of West Lafayette the sum of \$8,660.56 annually, plus \$250.00 for each fire run made by the Fire Department of the City of West Lafayette to the property of River Bend Hospital. The annual payment shall be made at the time of execution of this agreement and payments for fire runs shall be due within 30 days of receipt of statement.

Term of agreement. This agreement covers a period from January 31, 2013, to January 30, 2014, or the signing of a new contract, whichever comes first. This agreement may be terminated by either party thereto upon 60 days' written notice to the other party.

Non-liability. River Bend Hospital agrees that the City of West Lafayette is under no special private duty to provide fire protection to River Bend Hospital beyond that general duty which the City of West Lafayette would have to provide fire protection to any similar property located within the corporate limits of the City of West Lafayette. River Bend Hospital agrees to hold harmless the City of West Lafayette and any of its agents or employees for any act or omission in connection with furnishing such fire protection, the same being a discretionary function.

Hazardous materials. Because of the hazardous nature of some materials which may be present upon the property of River Bend Hospital, at any time the Fire Department of the City of West Lafayette is summoned to the property of River Bend Hospital, River Bend Hospital warrants that it will provide a person at the fire scene knowledgeable about all hazardous materials present and how they should be handled and shall cooperate fully with the Fire Department of the City of West Lafayette in furnishing any requested information concerning the same which the Fire Department determines to be necessary in handling whatever action it takes at the property of River Bend Hospital. The response on any hazardous materials emergency will be at the first responders operations level only. Any advanced levels will be furnished by River Bend Hospital.

RIVER BEND HOSPITAL

By: _____

Name: _____

Title: _____

APPROVED:

DATE: _____

**CITY OF WEST LAFAYETTE, BY ITS
BOARD OF PUBLIC WORKS AND SAFETY**

John R. Dennis, Mayor

Sana G. Booker, Member

Bradley W. Marley, Member

Jonathan C. Speaker, Member

Elizabeth M. Stull, Member

Attest:

Clerk-Treasurer Judith C. Rhodes